



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,919	10/23/2000	Tomohito Shida	1083.1076/JDH	8369

21171 7590 12/03/2003

STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
----------	--------------

3622

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/693,919

Applicant(s)

SHIDA, TOMOHITO

Examiner

Arthur Duran

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-12 have been examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 8-12 are rejected under 35 U.S.C. 102(e) as being unpatentable over Schiff (6,477,533).

Claim 1: Schiff discloses a method for accepting transaction reservation, comprising the steps of:

electronically presenting information on transaction favors of a transaction target defined for each time zone to a plurality of customers (col 20, lines 41-44; col 20, lines 58-65; col 22, lines 1-13 ; col 11, line 60-col 12, line 17; col 12, lines 22-36; col 7, lines 20-34);

Art Unit: 3622

electronically accepting information on transaction reservation at a selected time zone by a customer (col 12, lines 17-23; col 12, lines 22-36); and performing a transaction with favors for the reserved transaction target, when the visiting time of a customer to a shop, or the finish time of the transaction is included in the time zone in association with said accepted information on transaction reservation (col 20, line 49-col 21, line 12; col 13, lines 17-22; col 1, lines 22-26; col 22, lines 1-5; col 12, lines 14-17).

Schiff further discloses that the time period can be defined as a term for the transaction (col 20, lines 41-44; col 20, lines 58-65; col 22, lines 1-13).

Because Schiff discloses custom packages can vary based on sailing date and special discounts (col 1, lines 21-26), Schiff implies that custom packages can be created where special discounts and sailing dates are related variables to the overall package.

Claims 2, 8, 9, 10, 11, 12: Schiff discloses a method, system, apparatus, medium for accepting transaction reservation provided with a plurality of terminal devices, and an apparatus for accepting transaction reservation, connected to the terminal devices respectively, to accept reservation for a transaction of a transaction target, characterized in that said accepting apparatus comprises:

- (i) a terms determination means for determining terms for a transaction of a transaction target (col 11, line 60-col 12, line 17; col 12, lines 22-36); and
 - (ii) a transaction terms display means for displaying the terms for the transaction determined by the terms determinations means (col 7, lines 20-34; col 12, lines 22-36);
- said terminal devices comprises:

Art Unit: 3622

(i) an accepting means for accepting reservation application data which represents reservation application for a transaction of a transaction target based on the displayed terms (col 12, lines 17-23; col 12, lines 22-36); and

(ii) a transmission means for transmitting the reservation application data accepted by the accepting means to the accepting apparatus (col 12, lines 17-23; Fig. 1; Fig. 2A); and said accepting apparatus further comprises a storage means for storing received reservation application data, when the reservation application data is received (Fig. 2A).

Schiff further discloses a storage medium and a controller (Fig. 2A).

Claim 3: Schiff discloses a method according to claim 2, and further discloses that the step of determining the terms for a transaction is a step of determining terms for a transaction based on the state of the transaction reservation (col 20, lines 35-49; col 22, lines 1-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schiff (6,477,533).

Claim 4, 6: Schiff discloses a method according to claim 2.

Schiff does not explicitly disclose confirming whether the reservation has been accepted.

Art Unit: 3622

However, Schiff discloses a variety of communication between a travel agent and a customer (col 1, lines 33-36). Schiff further discloses verifying that a customer is available (col 2, lines 35-40). Schiff further discloses booking and paying for a reservation (Fig. 3A, item 342, item 344).

Schiff further discloses receiving reservations, booking, and payment information (col 12, lines 17-23).

Schiff further discloses sending a response to a user computer after receiving messages from the user computer (col 11, lines 13-15).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that Schiff's response to a user computer can be a confirmation of the reservation that the user has made. One would have been motivated to do this because user's are more confident that a reservation is valid when the user receives notification that the reservation was received.

Claim 5, 7: Schiff discloses a reception method for deal booking according to claim 4, and Schiff further discloses that it is characterized in that it further comprises the following steps:

a method according to claim 4, further comprising the steps of:

determining favors for the reserved transaction which has been confirmed to be accepted by the confirmation step, based on its terms (col 20, line 49-col 21, line 12; col 13, lines 17-22); and offering the determined favors (col 1, lines 22-26; col 22, lines 1-5; col 12, lines 14-17).

Since Schiff discloses that specific packages can be offered to specific customers and that packages can include special discounts and that specific customers can reserve transactions, Schiff discloses offering the favors for reserved transactions.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Walker (5,797,127) discloses a customer making reservation for a transaction based on terms and preferences and the customer being offered special promotions.

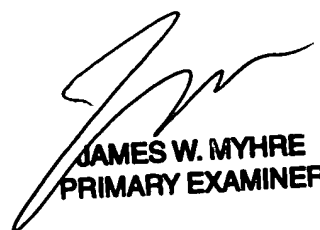
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (703)305-4687. The examiner can normally be reached on Mon- Fri, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703)305-8469. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

AD

November 24, 2003


JAMES W. MYHRE
PRIMARY EXAMINER